

REMARKS

Applicant submits that the restriction requirement under reply is improper as it does not address all of the pending claims. Group I is directed to claims 1-9 and 18-20; Group II is directed to claims 21-31. Claims 10-17 are not addressed. The undersigned has attempted to contact Examiner Gherbi as well as her supervisor, Examiner McDermott, concerning this issue, but has not been successful. Accordingly, in order to be responsive to the restriction requirement under reply, Applicant has provisionally elected the claims of Group II (claims 21-31), directed to coated stents, without traverse. However, Applicant respectfully requests that a new restriction requirement be presented (with a new date for response) that addresses all of the claims. Upon receipt of such new restriction requirement Applicant will make a more informed election among the Groups then presented.

The Commissioner is hereby authorized to charge any additional fees which may be required under 37 C.F.R. 1.17, or credit any overpayment, to Deposit Account No. 01-2525. If the Examiner feels that a telephone conference would in any way expedite the prosecution of the application, please do not hesitate to call the undersigned at telephone (707) 543-5021.

Respectfully submitted,

/Alan M. Krubiner, Reg. No. 26,289/
Alan M. Krubiner
Registration No. 26,289
Attorney for Applicant

Medtronic Vascular, Inc.
3576 Unocal Place
Santa Rosa, CA 95403
Facsimile No.: (707) 543-5420